

Exhibit "A"
Certificate of Completion
12th Avenue Redevelopment Project

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SITE DESIGNATION COMMITTEE

RESOLUTION NO. 01-04

December 13, 2001

12th Avenue Redevelopment Project - San Diego

WHEREAS, Chapter 6.65 of Division 20 of the Health and Safety Code, commencing with Section 25260, establishes a Site Designation Committee; and

WHEREAS, the Site Designation Committee may designate an Administering Agency to oversee a site investigation and remedial action at a hazardous materials release site upon request of a responsible party; and

WHEREAS, the Centre City Development Corporation, a responsible party as defined in Health and Safety Code Section 25260(h), requested that the Site Designation Committee designate an Administering Agency to oversee site investigation and remedial action at the 12th Avenue Redevelopment Project (Site) in San Diego, California, County of San Diego (see Attachment "A"); and

WHEREAS, this Site is a hazardous materials release site as defined in Health and Safety Code Section 25260(e); and

WHEREAS, the Site Designation Committee received the request for designation of an Administering Agency on November 12, 2001; and

WHEREAS, the Site Designation Committee properly noticed a public meeting to consider the request, and

WHEREAS, the Site Designation Committee held a meeting on December 13, 2001 and provided an opportunity at the meeting for public comment regarding the application; and

WHEREAS, the Site Designation Committee considered the application and, furthermore, considered all factors and criteria set forth in Health and Safety Code Section 25262(c); and

WHEREAS, the Centre City Development Corporation agrees to reimburse appropriate agencies for their appropriate oversight costs and/or costs of permit development, where those agencies' significant involvement and/or permit development is necessary for the furtherance of the project goals; and

WHEREAS, the Site Designation Committee has determined that, based on consideration of all of the factors listed in Health and Safety Code Section 25262(c), the County of San Diego Department of Environmental Health is the appropriate agency to act as the Administering Agency; and

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NOW, THEREFORE BE IT RESOLVED that the Site Designation Committee hereby designates the County of San Diego Department of Environmental Health as the Administering Agency for the Site; and

BE IT FURTHER RESOLVED that this designation is subject to the following conditions:

1. The County of San Diego Department of Environmental Health shall consult, on an ongoing basis, with the appropriate agencies that have expressed an interest in this site, including all agencies that would otherwise be issuing a permit or other form of authorization:
 - a) in administering all state and local laws, which are applicable;
 - b) in determining the adequacy of site investigation and remedial action activities and in determining and imposing appropriate land use restrictions under Health and Safety Code section 25355.5; and
 - c) prior to issuing any permit or other form of authorization.
2. Such consultation will also include notification if information becomes available to the County of San Diego Department of Environmental Health that the original application was inaccurate or was incomplete.
3. The County of San Diego Department of Environmental Health shall submit quarterly reports to the Site Designation Committee and to all appropriate agencies concerning the status of the investigation and remediation of the Site and shall comply with applicable public participation requirements.
4. The County of San Diego Department of Environmental Health shall provide at least 60 days notice to interested agencies and parties prior to issuing a certificate of completion for the site.

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CERTIFICATION

The undersigned Chair of the Site Designation Committee does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Site Designation Committee held in Sacramento, California on December 13, 2001.



Chair, Site Designation Committee

13 December 2001
Date

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CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SITE DESIGNATION COMMITTEE
RESOLUTION NO. 01-04A
December 13, 2001
Advisory Team for 12th Avenue Redevelopment Project

WHEREAS, Chapter 6.65 of the Health and Safety Code, commencing with Section 25260, establishes a Site Designation Committee; and

WHEREAS, the Site Designation Committee may designate an Administering Agency to oversee a site investigation and remedial action at a hazardous materials release site upon request of a responsible party; and

WHEREAS, any agency may request the Site Designation Committee at any time to convene an advisory team for the purpose of providing the administering agency with guidance in overseeing the site investigation and remedial action; and

WHEREAS, the Site Designation Committee adopted Resolution No. 01-04 on December 13, 2001, which designated the County of San Diego Department of Environmental Health as the Administering Agency for the 12th Avenue Redevelopment Project, County of San Diego; and

WHEREAS, the Department of Toxic Substances Control (DTSC) has requested that an Advisory Team be convened for this hazardous materials release site; and

WHEREAS, the Site Designation Committee held a meeting on December 13, 2001, and provided an opportunity at the meeting for public comment regarding the requests; and

WHEREAS, the Site Designation Committee considered the requests and the provisions of Health and Safety Code Section 25263; and

NOW, THEREFORE BE IT RESOLVED that the Site Designation Committee hereby creates an Advisory Team for the 12th Avenue Redevelopment Project site; and

BE IT FURTHER RESOLVED that this designation is subject to the following conditions:

1. The Advisory Team shall include DTSC and other agencies as appropriate;
2. The Advisory Team shall be chaired by DTSC;

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3. The Advisory Team shall meet within five working days of the date that any agency requests a meeting; and
4. DTSC shall be eligible for reimbursement of oversight costs related to its participation on the Advisory Team from the responsible party only if all of the following apply:
 - (1) The issue that led to the request to convene the Advisory Team, or the issue that is considered by the advisory committee following its formation, is directly and materially related to the administration of a law, ordinance, regulation or standard for which the agency has actual statutory or administrative responsibility; and
 - (2) The County of San Diego certifies that it is not able to address the issue without a significant expenditure of personnel time or other resources, or certifies that the issue is related to potential risks to human health or safety or the environment of sufficient significance to warrant reimbursement of DTSC's oversight expenditures; and
 - (3) Either of the following applies:
 - (A) The responsible party agrees to reimburse DTSC's oversight expenditures; or
 - (B) The Site Designation Committee directs the responsible party or parties to reimburse DTSC's oversight expenditures.

CERTIFICATION

The undersigned Chair of the Site Designation Committee does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Site Designation Committee held in Sacramento, California on December 13, 2001.

DATED: 13 December 2001


Chair, Site Designation Committee